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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,401	01/18/2002	Robert Wayne Glenn JR.	8401	9592
27752	7590	03/07/2006	EXAMINER	
THE PROCTER & GAMBLE COMPANY INTELLECTUAL PROPERTY DIVISION WINTON HILL TECHNICAL CENTER - BOX 161 6110 CENTER HILL AVENUE CINCINNATI, OH 45224			CHANNA VAJJALA, LAKSHMI SARADA	
			ART UNIT	PAPER NUMBER
			1615	
DATE MAILED: 03/07/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/051,401	GLENN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lakshmi S. Channavajjala	1615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11,31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11,31 and 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Receipt of RCE and amendment dated 11-30-05 is acknowledged.
  2. Claims 1-3 and 5-11 have been examined. New claims 31 and 32 have been added.
- Accordingly, claims 1-3, 5-11, 31 and 32 are pending in the instant application.

A careful review of the application shows that in response to the restriction requirement dated 3-21-03, applicants elected group I and further elected protected thiol compounds as species. However, the species election is being withdrawn because the rejection of claims made in the previous office actions included those claims, which read on the non-elected species. Accordingly, it is clarified that all of the pending claims i.e., 1-3, 5-11, 31 and 32 are considered for examination.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-30-05 has been entered.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-3, 5-11, 31 and 32 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

3. Claims 1-3, 5-11 and 31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Instant claims recite a reactive agent comprising a reactive group chemically bonded to a cosmetically active functional group. Instant application (page 4, lines 29+) describes that the term "reactive agent" refers to compounds that comprise a reactive group (or hook) that is covalently reactive with keratin and a mono or multivalent cosmetically active functional group. Further, the "covalently reactive" refers to the ability of the reactive agents to form covalent bonds with functional groups within the proteinaceous keratin, but does not describe covalent binding of the reactive groups with the cosmetically active functional groups. Thus, one can infer from the term "reactive term" that the covalent bonding is only between the reactive group and the proteinaceous keratin and not between the reactive agent and cosmetic functionally active. Furthermore, the binding between the reactive group and keratin is only of covalent nature, according to the specification and does not involve any other type of bonding. However, instant claims "bonding" in general, which includes not covalent but other types such as polar, non-covalent, dipole-dipole etc., which is not adequately described. Claim 31 further recites that the reactive group bonded to both cosmetically

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active functional group and a protecting group, which is not supported by the above description provided from the instant specification.

Instant specification describes a plethora of electrophilic, nucleophilic or protected thiol groups that enable covalent attachment of the cosmetically active functional groups (page 6-10). According to the description, a number of electrophilic, nucleophilic or thiol protected groups constitute the "hook" for the cosmetically active groups. While the specification describes three exemplary "hooks" like azolactone, pyrimidinium type or nucleophilic type and show their binding to specific cosmetically active agents such as a silicone containing or a hydrocarbon containing compounds (page 9-10), instant claims encompasses any of the possible cosmetically active functional groups. The specification gives no guidance to one of ordinary skill in the art as to what are the specific cosmetic compounds that attach to the hooks and what are the points of attachment of these cosmetically active compounds, recited as suitable cosmetic compounds. The expression "cosmetically active group" without i.e. partial or complete structure does not convey to one of ordinary skill in the art that applicants were in possession of the claimed subject matter. For instance, in the protected thiol reactive groups, the variable R is described as a mono or multivalent cosmetically active functional group. However, the description does not provide any guidance as to how or what is the point of attachment of monovalent or multivalent cosmetic functional groups. Examiner notes that applicants have incorporated the specification of various patents and patent applications by reference, for the description of the reactive groups or hooks.

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However, a careful review of the patents and application also lacks any description of how and where the cosmetically active groups are attached.

The functional language recited without any correlation does not meet the written description requirement for the expression cosmetically active group as one of ordinary skill in the art could not recognize or understand the structure from the mere recitation of the function. Claims employing functional language at the point of novelty, such as applicants' does not provide those elements required to practice the inventions. The expression could encompass myriad of compounds and applicants claimed expression represents only an invitation to experiment regarding possible compounds.

In order to overcome the prior art rejections of record, applicants state that the instant claims have been amended. However, as explained the new limitations do not find support in the instant specification.

4. Claims 1-3, 5-11, 31 and 32 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a reactive agent comprising a specific reactive group that covalently binds to cosmetically active functional groups (present in the specific cosmetically active agents given in the examples), does not reasonably provide enablement for any reactive agent comprising a reactive group that covalently binds to any cosmetically active functional group in any cosmetically active agent. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

Enablement is considered in view of the Wands factors (MPEP 2164.01 (a)).

These include: breadth of the claims; nature of the invention; state of the prior art; amount of direction provided by the inventor; the level of predictability in the art; the existence of working examples; quantity of experimentation needed to make or use the invention based on the content of the disclosure; and relative skill in the art. All of the factors have been considered with regard to the claim, with the most relevant factors discussed below:

**The nature of the invention & The breadth of claims:** Instant claims are drawn to an anhydrous composition comprising a reactive agent comprising a reactive group that is chemically bonded to a cosmetically active functional group and a solvent in which the reactive agent is soluble and, which is water miscible. The limitations “reactive agent comprising a reactive group, which chemically binds to a cosmetically active functional group” is very broad one that is not supported by the instant specification. Instant invention is directed to binding of cosmetically active functional groups present in specific hair conditioning compounds with the exemplified reactive agents for shelf stable compositions and using the compositions for treating hair and other keratin substances.

**The relative skill of those in the art:** the skill of one of ordinary skill in the art is very high, e.g., Ph.D. and M.D. level technology.

**The amount of direction provided by the inventor:** Instant specification enumerates a plethora of electrophilic, nucleophilic and thiol protected compounds that contain a reactive group and also lists a number of cosmetically active agents containing cosmetically active functional groups. However, the specification broadly lists reactive groups and the cosmetic active groups without explaining what the groups actually consists of or without giving the structure of the groups, other three examples. For the description of the reactive groups, application refers to US patents or patent application by incorporation. However, a careful review of the applications incorporated by reference only describes some of the reactive groups bound to certain cosmetically active agents. Whereas, the referenced patents or applications, do not describe the point of attachment of the variety of broadly and functionally recited cosmetically active functional groups, as claimed in the application and recited in the specification. The cosmetically active agents functionally mentioned in the specification comprise a huge number of possible agents, from known chemical structure to unknown plant or herbal extracts. Guidance for using an active compound, identifying the functional group, followed by identifying a suitable (electrophilic, neutrophilic or a thiol protected group) reactive group, from the plethora of the compounds described, so as to bind the two groups is not provided in the instant specification. With respect to the instant composition, there is a substantial gap between a composition comprising a few specific cosmetic compounds and reactive agents and an entire gamut of "reactive agents and cosmetic agents." Consequently, a burdensome amount of research would be required by one of ordinary skill in the art to bridge this gap.



The presence or absence of working examples: Three examples are included in the instant specification. These examples teach compositions comprising mixtures of specific polymers and silicone conditioning agents or one specific hydrocarbon containing conditioner broadly. However, not all of the cosmetically active groups in cosmetic compounds have the same structure and can react with any reactive group. In the absence of such guidance as to what is the point of attachment for different reactive groups and cosmetically active groups, a practitioner would turn to trial and error experimentation in order to compose a composition as claimed.

**The quantity of experimentation:** In the instant case, there is a substantial gap between a composition comprising a few specific cosmetic compounds and reactive agents and an entire gamut of “reactive agents and cosmetic agents.” The “reactive agents with a reactive group or hook ” may comprise more than one electrophilic or nucleophilic or thiol protected group or a mixture of these. This is also true with the “derivatives” claimed. Similarly, the claimed ‘cosmetic active groups’ comprise a huge class of compounds and may contain more than one groups. For instance, instant cosmetic agents include “photo active agents”, without actually describing the chemical nature of the compounds. Consequently, a burdensome amount of research and undue experimentation, in determining the correct reactive groups that bind the cosmetic groups, would be required by one of ordinary skill in the art to bridge this gap in order to successfully prepare and use the instant composition.

### ***Double Patenting***

5. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

6. Claims 1-3, 6-11, 31 and 32 rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-19 of U.S. Patent No.

6,703,007. Although the conflicting claims are not identical, they are not patentably distinct from each other. Instant claims are directed to an anhydrous composition comprising a reactive agent comprising a reactive group chemically bonded to a cosmetically active functional group and a solvent in which the reactive agent is miscible. Instant reactive agent is selected from a group consisting of electrophilic group, nucleophilic group and protected thiol group. The “cosmetically active functional group” of the instant claims is defined as a moiety that imparts one or more cosmetic

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benefits to hair or skin and includes cosmetic agents such as hair conditioning or other hair care agents. Patented claims are directed to a hair composition comprising a protected nucleophilic compound and a carrier, and the composition does not contain water. The nucleophilic compound of the patented claims read on the claimed reactive agents, both nucleophilic and protected thiol groups, and the R group of the patented nucleophilic compound read on the cosmetically active functional group. The composition of the patented claims does not contain water and hence meet the "anhydrous" limitation. The patented claims recite a "topical vehicle" and describe solvents such as those claimed as suitable topical vehicles. While the patented claims do not teach anhydrous composition, the claims also do not recite water and accordingly, it would have been obvious for one of an ordinary skill in the art at the time of the instant invention to use the nucleophilic compounds of '007 as molecular hooks for various cosmetically active groups in cosmetic compounds and employ the solvents of '007 as carriers, in the presence or absence of water, because '007 teaches that the compounds acts as hooks for efficient and beneficial delivery of cosmetic actives.

8. Claims 1-3, 5, 7-11, 31 and 32 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-16, 18, 21-44 of U.S. Patent No. 6390102; over claims 1-16, 18, 21-45 of U.S. Patent No. 6619294 and over claims 1-16, 18, 21-45 of U.S. Patent No. 6506371, each in view of US 6,703,007. Although the conflicting claims are not identical, they are not patentably distinct from each other. Instant claims are directed to an anhydrous composition

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comprising a reactive agent comprising a reactive group chemically bonded to a cosmetically active functional group and a solvent in which the reactive agent is miscible. Instant reactive agent is selected from a group consisting of electrophilic group, nucleophilic group and protected thiol group. The 'cosmetically active functional group" of the instant claims is defined as a moiety that imparts one or more cosmetic benefits to hair or skin and includes cosmetic agents such as hair conditioning or other hair care agents.

Each of the above patent claim silicone compositions containing siloxane compound linked to a hook or a reactive group via a linker. The patent claims recite the use of silicone compounds are used in hair care compositions and the reactive hooks of the patented claims read on the claimed reactive agents with the reactive groups, especially with the pyridinium, pyrimidinium or other the heterocyclic reactive groups (dependent claims), more particular, the protected thiol reactive groups. Thus, the silicone compounds of the patented claims meet the claimed reactive agents. The patented claims do not recite anhydrous composition.

US patent '007 teaches topical compositions comprising reactive agents with a reactive group that is chemically bonded to a cosmetically active agent. The description of nucleophilic compound of '007 includes the claimed nucleophilic and protected thiol compounds (col. 4-col. 8) and also cosmetic active of the instant invention (col. 8). Among the topical vehicles, Further, '007 teaches that the vehicles of the composition can be other than water, suggesting anhydrous compositions and in this regard, '007 specifically teach the same solvents that are claimed in the instant (col. 12, lines 55-col.

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13, lines 3). Accordingly, it would have been obvious for one of an ordinary skill in the art at the time of the instant invention to use the silicone compounds containing reactive hooks and cosmetic active group (of the above patents) together with the solvents (anhydrous) of '007 to prepare anhydrous compositions because '007 also teaches cosmetic compounds bound to reactive hooks so as impart the durable and stable benefits of the active agents via the molecular hooks to the skin or hair.

9. Claims 1-3, 6-11 and 31 are directed to an invention not patentably distinct from claims 1-19 of commonly assigned US 6,703,009. Specifically, as explained above, the above patent discloses the subject matter of the instant claims.

Claims 1-3, 5, 7-11, 31 and 32 are directed to an invention not patentably distinct from claims of commonly assigned U. S. Patent 6390102; U.S. Patent No. 6619294 and U.S. Patent No. 6506371.

The U.S. Patent and Trademark Office normally will not institute an interference between applications or a patent and an application of common ownership (see MPEP Chapter 2300). Commonly assigned patents, discussed above, would form the basis for a rejection of the noted claims under 35 U.S.C. 103(a) if the commonly assigned case qualifies as prior art under 35 U.S.C. 102(e), (f) or (g) and the conflicting inventions were not commonly owned at the time the invention in this application was made. In order for the examiner to resolve this issue, the assignee can, under 35 U.S.C. 103(c) and 37 CFR 1.78(c), either show that the conflicting inventions were

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commonly owned at the time the invention in this application was made, or name the prior inventor of the conflicting subject matter.

A showing that the inventions were commonly owned at the time the invention in this application was made will preclude a rejection under 35 U.S.C. 103(a) based upon the commonly assigned case as a reference under 35 U.S.C. 102(f) or (g), or 35 U.S.C. 102(e) for applications pending on or after December 10, 2004.

11. Claims 1-3, 6-11 and 31 are rejected under 35 U.S.C. 103(a) as being obvious over US 6,703,007 alone or each of U. S. Patent 6390102; U.S. Patent No. 6619294 and U.S. Patent No. 6506371 in view of 6,703,00.

The applied references have a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing

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that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

US patent '007 teaches the claimed reactive agents with a reactive group that is chemically bonded to a cosmetically active agent. The description of nucleophilic compound of '007 includes the claimed nucleophilic and protected thiol compounds (col. 4-col. 8) and also cosmetic active of the instant invention (col. 8). Among the topical vehicles, '007 specifically teach the same solvents that are claimed in the instant (col. 12, lines 55-col. 13, lines 3). Accordingly, it would have been obvious for one of an ordinary skill in the art at the time of the instant invention to use the nucleophilic compounds to bind a cosmetic active group, such as the hair are compounds, together with the solvents of the '007, so as to prepare a composition such as claimed in the instant invention because '007 also teaches the nucleophilic compounds containing the cosmetic moiety for the same purposes i.e., durable cosmetic benefits that are resistant to cleansing or washing or shampooing.

Each of the U. S. Patent 6390102; U.S. Patent No. 6619294 and U.S. Patent No. 6506371 are directed compositions comprising silicone (structures in col. 2-5) that is linked to a reactive hook via a linker molecule. In particular, the compositions of the patents are taught for hair applications (col. 1). The molecular hooks represented by structures include those reactive groups that are also claimed in the instant invention (col. 5-9). Examiner notes that each of these patents has been cited in the instant applications (as reference by incorporation) for the claimed reactive compounds. In

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particular, the patents teach silicone compounds linked to a pyrimidinium reactive group (instant claim 32). The above patents do not teach anhydrous compositions.

'007, discussed above, teaches compositions comprising cosmetic active groups bound to protected thiol groups or other nucleophilic compounds. '007 teach the claimed solvents and also state that the vehicles of the composition can be other than water, suggesting anhydrous compositions. In this regard, '007 specifically teach the same solvents that are claimed in the instant (col. 12, lines 55-col. 13, lines 3).

Accordingly, it would have been obvious for one of an ordinary skill in the art at the time of the instant invention to use the silicone compounds containing reactive hooks and cosmetic active group (of the above patents) together with the solvents (anhydrous) of '007 to prepare anhydrous compositions because '007 also teaches cosmetic compounds bound to reactive hooks so as impart the durable and stable benefits of the active agents via the molecular hooks to the skin or hair.

Claims 1-3, 5-11 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,087,733 in view of US 6,703,007.

Deppert teaches hair-conditioning compositions containing sulfur containing quaternary ammonium compounds such as sulfhydryl, dithio, isothiuronium compounds that react with the anionic charge carried on the keratin of human hair fibers. In particular, after treating with thioglycolic acid (for permanent waving of hair), free mercaptan groups formed due to reduction of thioglycolic acid are remained on the hair fibers. The thiol containing quaternary compounds of Deppert reacts covalently with



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the free mercaptan groups, thus binding the conditioner to the hair for a longer period of time (col. 8, lines 8-20). The sulfur containing compounds of Deppert read on the instant electrophilic, nucleophilic and protected thiol groups because claim 5 recites isothiuroniums (electrophilic), claim 6 recites thiol containing quaternary ammonium compounds and further, claim 8 recites that the protecting groups include electrophilic as well as phosphorus (nucleophilic) groups. Accordingly, Deppert suggests the claimed reactive agents. Deppert fails to teach anhydrous compositions.

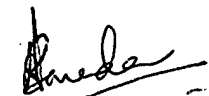
'007, discussed in detail in the preceding paragraphs, teach nucleophilic compounds as reactive agents, which encompass the claimed protected thiol groups because the "Nu" variable in  $R-(Nu-Pr)_m$ , can be a sulfur. '007 teach the reactive groups binding hair cosmetic compounds such as silicon compounds (col. 9) along with other cosmetic compounds. '007 teach the claimed solvents and also state that the vehicles of the composition can be other than water, suggesting anhydrous compositions. In this regard, '007 specifically teach the same solvents that are claimed in the instant (col. 12, lines 55-col. 13, lines 3). Accordingly, it would have been obvious for one of an ordinary skill in the art at the time of the instant invention to choose from the suitable solvents for reactive hooks of Deppert, depending on the cosmetic active group, by selecting from the solvents of '007 so to prepare anhydrous compositions because '007 also teaches reactive hooks for delivering cosmetic compounds and also teaches that cosmetic compounds bound to reactive hooks so as impart the durable and stable benefits of the active agents via the molecular hooks to the skin or hair.

Examiner notes that instant specification recites a number of U.S. patent applications. It is suggested that the status of the applications be updated.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lakshmi S. Channavajjala whose telephone number is 571-272-0591. The examiner can normally be reached on 9.00 AM -6.30 PM

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman K. Page can be reached on 571-272-0602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lakshmi S Channavajjala  
Examiner  
Art Unit 1615

March 3, 2006